

IN THE CLAIMS:

Please amend the claims as follows:

Claims 1-6 (Canceled).

Claim 7 (Currently Amended): An apparatus for recording recording information on a recording medium comprising:

recording means for recording a bit rate on the recording medium together with the recording information when the recording information is recorded;

reproducing means for reproducing the recorded bit rate of the recording information together with the recording information when the recorded recording information is reproduced; and

control means for determining whether [[the]] a renewal recording or addition recording is possible based on the bit rate and a bit rate of [[the]] new recording information when the new recording information is recorded for renewal [[of]] or addition, and for starting the renewal recording or the addition recording when the renewal recording or the addition recording is possible.

Claims 8-11 (Canceled).

Claim 12 (Currently Amended): An apparatus for recording recording information on a recording medium comprising:

recording system that records a bit rate on the recording medium together with the recording information when the recording information is recorded;

reproducing system that reproduces the recorded bit rate of the recording information together with the recording information when the recorded recording information is reproduced; and

control system that determines whether [[the]] a renewal recording or addition recording is possible based on the bit rate and a bit rate of [[the]] new recording information when the new recording information is recorded for renewal or addition, and that starts the renewal recording or the addition recording when the renewal recording or the addition recording is possible.

Claims 13-16 (Canceled).

Claim 17 (Currently Amended): A method of recording recording information on a recording medium comprising:

a recording step of recording a bit rate on the recording medium together with the recording information when the recording information is recorded;

a reproducing step of reproducing the recorded bit rate of the recording information together with the recording information when the recorded recording information is reproduced;

a step of determining whether [[the]] a renewal recording or addition recording is possible based on the bit rate and a bit rate of [[the]] new recording information when the new recording information is recorded for renewal or addition; and

a step of starting the renewal recording or the addition recording when the renewal recording or the addition recording is possible.